

Military Governance and War Termination

**A Monograph
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Abstract

Military Governance and War Termination by Major Charles A. Ford, U.S. Army, 57 pages.

As demonstrated by the U.S. military interventions in Afghanistan and Iraq, achieving favorable war termination requires more than defeating the enemy on the battlefield. Across the U.S. government, agencies have recognized the requirement to develop capabilities that address the myriad of tasks found during combat and post-conflict environments. This monograph proposes that the current U.S. approach to war termination is inadequate. Problems surrounding favorably concluding hostilities are complex. Strategic aims will shift and evolve requiring an adaptive and learning organizational structure that can effectively employ the capabilities found across the whole of government.

The case studies of Philippines in the early 20th century and Germany during WWII demonstrate the value of military governance to translate battlefield victory into political success. To achieve the national strategic aims, the constantly changing environment necessitated that military commanders possess the ability to influence local circumstances by integrating the instruments of national power within a single entity. Unity of command replaces the notion of unity of effort allowing for the necessary authorities and resources to address the realities in theater while remaining nested with the national political goals.

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Introduction

Shortly after the invasion of Iraq in 2003, journalist Rick Atkinson reported that Major General David Petraeus posed a question to the *Washington Times*, “Tell me how this ends?”¹ In the following weeks, the U.S. quickly defeated the Iraqi military. President George W. Bush punctuated the military triumph by giving a speech on the deck of the USS Abraham Lincoln with a banner of “Mission Accomplished” in the background. Early military successes against the Taliban in Afghanistan 2001 and the subsequent defeat of Iraqi forces in 2003 reinforced the perception that the U.S. had achieved decisive victory. However, post-conflict operations suffered from a series of missed opportunities and poor decisions resulting in renewed conflict in both theaters. Military power alone did not guarantee successful war termination.² At present, the U.S. remains engaged in both Iraq and Afghanistan, committed to maintaining its presence through at least 2011 and 2014, respectively.³

American culture views a distinct separation between the political and military realms. Whether it is clear subordination to civilian authorities or an “unequal dialogue,” the American military establishment is expected to remain apolitical and restrict its influence to the best

¹ Rick Atkinson, *In the Company of Soldiers: A Chronicle of Combat* (New York: Henry Holt and Company, 2005), 167.

² James W. Reed, “Should Deterrence Fail: War Termination in Campaign Planning,” *Parameters*, Summer 1993. <http://www.carlisle.army.mil/USAWC/parameters/Articles/1993/reed.htm> (accessed December 10, 2010); William Flavin, “Planning for Conflict Termination and Post-Conflict Success,” *Parameters*, Autumn 2003. <http://www.carlisle.army.mil/usawc/parameters/Articles/03autumn/flavin.htm> (accessed March 15, 2011). In this monograph, war termination and conflict termination are used interchangeably. War termination is defined as the process by which military conflict transitions into more peaceful forms of interaction ultimately ending the need for employing violence as the primary means. It is important to highlight that terminating war does not necessarily mean the end of conflict, rather that the military is not the primary instrument employing violent methods to achieve established objectives.

³ The Strategic Framework Agreement calls for the withdrawal of U.S. forces by December 31, 2011. <https://georgebush-whitehouse.archives.gov/infocus/iraq> (accessed on April 15, 2011). Agreement by NATO members during a meeting in Lisbon, Portugal in November 2010 established the goal of withdrawing most of the troops deployed to Afghanistan by 2014. <http://www.reuters.com/article/2010/11/19/us-nato-afghanistan-withdrawal-idUSTRE6AI2TG20101119> (accessed on April 15, 2011).

military advice when dealing with national policy.⁴ The effect is to disaggregate the problems in war to those that are considered the responsibility of battlefield commanders as opposed to those that reside within the purview of diplomats and politicians. President Truman's decision to relieve General Douglas MacArthur during the Korean War, after his public statements were in opposition to national policy, illustrates the traditional civil-military separation. President Truman's concerns regarding the potential risk of escalation to nuclear war profoundly shaped national policy. To avoid conflict over the utility and purpose of military intervention in both current and future wars, the defense establishment must anticipate and remain aware of the political considerations that will influence the decision to go to war and how it is fought.

The 2010 *Joint Operating Environment* (JOE) frames future security problems that the U.S. may face over the next 25 years. Although the document is speculative rather than predictive, it states that the U.S. will engage in a "dynamic combination of combat, security, engagement, and relief and reconstruction."⁵ Ten trends identified in the JOE illustrate the potential for the character of war to change rapidly over the next quarter-century. Changes in world demographics, growing economic interdependence, resource shortages, and the proliferation of advanced military technology pose significant challenges to U.S. national security. Many of these emerging trends may grow into significant conventional military threats. However, as recent operations have demonstrated, it is not only the conventionally equipped and organized adversary that poses significant challenges to the U.S.

⁴ For more on civil-military relations, see Samuel P. Huntington, *The Soldier and the State: The Theory and Politics of Civil-Military Relations* (Cambridge: Harvard University Press, 1985) and Elliot A. Cohen, *Supreme Command: Soldiers, Statesman, and Leadership in Wartime* (New York: The Free Press, 2002).

⁵ United States Joint Forces Command, *Joint Operating Environment: 2010* (Suffolk, VA: Government Printing Office, 2010), 4.

The 19th century military philosopher Carl Von Clausewitz states that when war commences, it is always due to a political aim.⁶ Military force is designed to gain leverage over the adversary and force a favorable settlement. In order to attain strategic aims, the U.S. maintains the most powerful military in the world. For this reason, it is perplexing to understand why the U.S. has had such difficulty in favorably terminating the current conflicts. Conventional American military dominance on the battlefield has not translated into lasting peace. Rather, using low-technology irregular forces have kept the U.S. military heavily engaged for nearly a decade. The potential future security challenges described in the *2010 JOE*, and the experience of recent contingency operations, highlight the need to address problems that extend beyond the battlefield. Answering the question of how the U.S. government purposefully synchronizes the critical actions after formal hostilities have ceased continues to be a problem.

British General Sir Rupert Smith characterizes modern war and the emerging environment as “war amongst the people,” where they, the people, are both the target and objective of the opposing forces.⁷ The growing influence of non-state actors in permissive environments found in states that are unable to govern effectively has led the U.S. to focus on developing security partnerships with states in order to protect and gain support of the people preventing the expansion of extremism. However, this renewed focus on the population is not unique to the current overseas contingency operations. Previous military interventions have required the U.S. to look at past battlefield successes and recognize that victory is only achievable if the enemy accepts defeat and elects to stop fighting.⁸ Establishing the conditions that persuade the enemy to acknowledge that continued resistance is futile requires more than merely increasing

⁶ Carl Von Clausewitz, *On War*, ed. and trans. by Michael Howard and Peter Paret (Princeton: Princeton University Press, 1976), 87.

⁷ Rupert Smith, *The Utility of Force: The Art of War in the Modern World* (New York: Vintage Books, 2007), 28.

⁸ Everett Carl Dolman, *Pure Strategy: Power and Principle in the Space and Information Age* (New York: Routledge, 2005), 8.

the application of military force. Addressing the underlying source and drivers of conflict is the only sure way to establish a better state of peace.⁹

The 2010 *National Security Strategy* (NSS) states that America's military might underpin its national security policy and global leadership.¹⁰ There is a growing acknowledgment that military force by itself is often insufficient to achieve national goals. This is evident by an increased emphasis on stability operations and a "whole of government approach."¹¹ Prior to the 2003 invasion of Iraq, Secretary of State Colin Powell alluded to the problems facing a post-conflict Iraq by stating that the U.S. would have to assume governance responsibilities for the nation.¹² Failure of the military or the U.S. government at large to accept that responsibility and requisite duties as an occupying authority resulted in a chaotic environment demonstrated by the widespread looting and a general lack of law and order following the capture of Baghdad.¹³ Since the end of military governments in WWII, the reluctance of the U.S. to institute a military government and the inability of other agencies within the government to perform governance functions has resulted in a capability gap. The requirements to address the wide-ranging tasks of establishing security, caring for the population, restoring essential services, and facilitating economic recovery is not resident in any single U.S. organization. Although the U.S. has the resident expertise to handle the tasks, the creation of ad-hoc organizations does not provide for the necessary authorities to direct operations performed by multiple agencies in an integrated and holistic way.

⁹ B. H. Liddell Hart, *Strategy*, 2nd ed. (New York: Faber & Faber, 1967), 338.

¹⁰ President of the United States, *National Security Strategy* (Washington D.C.:The White House, 2010), 17.

¹¹ Department of Defense, Department of Defense Instruction 3000.05 (Washington, D.C.: U.S. Department of Defense, 2009), 8.

¹² Bob Woodward, *Plan of Attack* (New York: Simon & Schuster, 2004), 150.

¹³ An Army of Occupation is governed by Hague Convention of 1907 and Geneva Convention of 1949. The U.S. Army has codified the principles and legal obligations set forth by the two conventions in *Field Manual 27-10 The Law of Land Warfare* (Washington D.C.: Government Printing Office, 1956).

How does the U.S. address the difficulties in translating military victory into favorable conditions for war termination? The U.S. political and military leadership must restore the inherent relationship between political aims and military objectives. Carl Von Clausewitz dictum that “war is a continuation of policy” implies that military action is not separate from the political dialogue conducted by diplomats. The battlefield serves as another venue to continue negotiations, albeit through the application of force to coerce the adversary. The traditional separation of the military and civilian wartime roles and responsibilities drives a search for clear guidance from the political leaders to the military commander which is seldom forthcoming. In this setting, the military commander must develop plans that translate tactical and operational victory into strategic and political success. To do this, the military must focus on two important dimensions pertaining to war-fighting: “winning the war and winning the peace.”¹⁴

Winning the peace occurs through the process of war termination wherein the U.S. achieves acceptable political aims thereby favorably ending the conflict. The purpose of armed conflict is to serve national policy objectives and is only a means to a political end.¹⁵ This is an important clarification when exploring the process of military termination.¹⁶ Military power alone, even in a total war scenario, is insufficient to end the conflict short of the complete annihilation of the adversary. Within the context of limited objectives, and therefore limited war, the conclusion of the conflict comes only through a negotiated political settlement. A transition towards military termination occurs when the use of force, as the primary means of engagement,

¹⁴ Samuel R. Berger and Brent Scowcroft, *In the Wake of War: Improving US Post-Conflict Capabilities*, Council on Foreign Relations Independent Task Force Report No. 55, 2005, 13. Winning the peace refers to the commitment by US forces to commit to the post-conflict stability and reconstruction tasks that will capitalize on the battlefield successes to establish long-term peace.

¹⁵ Hart, *Strategy*, 338.

¹⁶ Military Termination is not specifically defined in Army or Joint Doctrine. However, *Joint Publication 1-02: Dictionary of Military and Associated Terms*, defines termination criteria as the specified standards approved by the President and/or the Secretary of Defense that must be met before a joint operations can be concluded. Essentially, is the point in time when the purpose for military intervention is achieved and the force can end activities as the primary instrument of U.S. policy. It is different than the term war termination, which is not defined in Joint Doctrine.

gives way to other methods of influence.¹⁷ This implies that some other action is required to continue the process of conflict termination to achieve the political aims.

The varying perspectives of the participants affect the process of war termination. From the vantage point of a commander in the field, success or failures may have a profound impact on his belief in the successful outcome of the war.¹⁸ Military commanders view the centrality of combat operations as the primary means to achieve a favorable settlement. While neither military nor political leaders can focus on a single aspect of war, politicians in particular must address the concerns of the domestic population as well as coalition partners, which are an ever-growing aspect of military interventions. Shifting political perceptions may profoundly shape their battlefield assessments. Military commanders seek definitive guidance for the conduct of operations while the political leadership attempts to remain as ambiguous as possible. The resulting failure to articulate priorities, commitments, and acceptable risks leads to gaps in strategy formulation.¹⁹ Chief of Staff and Ambassador to South Vietnam General Maxwell Taylor wrote that “it is risky business for a senior politician to put on record an estimate of future events which, if wide of the mark, would provide ammunition to his adversaries.”²⁰

This monograph proposes that the current U.S. approach to war termination is inadequate. Problems surrounding favorably concluding hostilities are complex. Strategic aims will shift and evolve requiring an adaptive and learning organizational structure across the whole of government. The current approach lacks the strategic organization and vision to integrate all of

¹⁷ William J. Gregor, “War Termination in the Age of Terror: Searching for a Policy Dialogue” (paper presented at the Biennial Conference of the Inter-University Seminar on Armed Forces and Society, Chicago, IL, October 26-28, 2007), 9.

¹⁸ Morton H. Halperin, “War Termination as a problem in Civil-Military Relations,” *Annals of the American Academy of Political and Social Science*. Vol. 392, How Wars End (November 1970): 87.

¹⁹ Keith A. Dunn, “The Missing Link in Conflict Termination Thought,” in *Conflict Termination and Military Strategy: Coercion, Persuasion, and War*, ed. Stephen J. Cimbala and Keith A. Dunn (Boulder: Westview Press, 1987), 181.

²⁰ Maxwell T. Taylor, *Precarious Security* (New York: Norton & Company, 1976), 17.

the instruments of national power – Diplomatic, Information, Military, and Economic (DIME) – resulting in ad-hoc organizations that are insufficient to adapt to evolving policy aims.²¹

Developing a military governance capability places the responsibility to achieve the strategic aims with military commanders until the conditions are established that allow for successful transition to a civilian-led government.²² This capability requires that unity of command replace the notion of unity of effort in order to allow for the necessary authorities and resources to address the realities in theater while remaining nested with the national political goals.

A U.S. military governance capability facilitates conflict resolution in which a negotiated or imposed settlement is applicable. Additionally, the use of a military governance structure supports the application of an indirect approach to achieving a favorable settlement as the capability to occupy, control, and administer successfully in a foreign country reinforces credibility and power of coercive actions. Conflict termination criteria will not remain static but will shift due to a myriad of factors. It is not the only solution to America's current difficulty in favorably ending its war. However, the U.S. success in the Philippines War in the early 20th century and occupation of Germany following WWII provide examples of favorable war termination and transition to civilian-led governments. Both are of value in assessing the future of American military intervention.

²¹ Joint Staff, *Joint Publication 1-0: Doctrine for the Armed Forces of the United States* (Washington D.C.: Government Printing Office, 2009), I-8.

²² Military governance capability is defined as the organization and authority of designated military commanders to exercise functions of civil administration.

Difficulties of War Termination

Doctrine

War termination is overshadowed by the literature that typically seeks to explain how wars begin. Relatively little exists on how armed conflict is brought to an acceptable end.²³ The lack of understanding between the political act of war termination and military termination leaves ambiguity around current U.S. joint doctrine on war termination.²⁴ The conceptual gap in doctrine has arisen because of the action-oriented language that is used. This terminology describes objectives and effects necessary for military termination, which is often incompatible with vague and evolving political aims.

In setting the national aims, the political leaders must consider many intangible factors that are not easily translated into directives for action. As political leaders ponder the potential for war, they seek information from military leaders regarding the adversary and options.²⁵ Military assessments carry great political influence because, within the context of battlefield actions, they are tangible and measured against quantifiable objectives. Feedback from the theater of war provides indications of success or failure. However, placing too much emphasis on military assessments threatens to reverse the relationship between policy and war. Political leaders must remain aware of the varying perspectives and the potential of overreliance on battlefield actions as an indicator of favorable conditions.

Current joint doctrine does not clearly define war termination because the decision to terminate the conflict is a political act. Military doctrine is specifically concerned with what is

²³ Michael I. Handel, *War Termination: A Critical Survey*, Jerusalem Papers on Peace Problems, 24th Edition (Jerusalem: The Hebrew University Alpha Press, 1978), 10.

²⁴ Joint Staff, *Joint Publication 3-0 Joint Operations* (Washington D.C.: Government Printing Office, 2010), IV-5-IV-7. Doctrine addresses military termination criteria but does not clearly explain the process by which a war is concluded. JP 3-0 defines three types of conclusions; imposed settlements, negotiated settlements, and stalemate.

²⁵ Morton H. Halperin, "War Termination as a Problem in Civil-Military Relations," *Annals of the American Academy of Political and Social Science*, Volume 392, How Wars End, 93.

“the best way to conduct military affairs.”²⁶ Since the end of World War II and the rise of limited warfare, military professionals have often clashed with political leaders over military doctrine and the battlefield constraints imposed. In both Korea and Vietnam, military leaders suffered from restrictions on the conduct of military operations by civilians who often directed operations counter to military advice.²⁷ Doctrine provides guidance for military professions in the conduct of operations that further national objectives. However, there is no requirement for the political leadership to abide by any of the established tenets.

The closest terms to war termination found in joint doctrine are “national strategic end state” and “termination criteria.”²⁸ The national strategic end state is defined as “the broadly expressed conditions that should exist at the end of a campaign or operation.”²⁹ According to Joint Publication (JP) 5-0, *Joint Operation Planning*, the President or Secretary of Defense establishes national objectives while military operations seek to create the necessary conditions to fulfill the aforementioned objectives. Termination criteria refers to the “specified standards approved by the President or the Secretary of Defense that must be met before a joint operation can be concluded.”³⁰ The problem with these doctrinal definitions, however, is that they apply only to the military and fail to address the integration of the other instruments of national power in facilitating conflict termination. Additionally, doctrine does not adequately address the concept

²⁶ Dennis Drew and Don Snow, “Military Doctrine,” in *Making Strategy: An Introduction to National Security Processes and Problems* (Maxwell Air Force Base: Air University Press, 1988). <http://www.au.af.mil/au/awc/awcgate/readings/drew1.htm> (accessed on March 10, 2011).

²⁷ Ibid.

²⁸ Joint Staff, *Joint Publication 5-0 Joint Operation Planning* (Washington D.C.: Government Printing Office, 2006), III-5-III-8.

²⁹ Ibid., III-5

³⁰ Ibid.

of conflict resolution, as it is possible for hostilities to conclude without achieving military termination criteria.³¹

Joint doctrine identifies three approaches to termination – imposed, negotiated, and the indirect approach.³² These concepts are limited in scope as they refer exclusively to the military instrument. Achieving one of the above is not necessarily an end to hostilities; rather it may serve as a point of transition to post-conflict operations which are characterized by both military and civilian problems as demonstrated in the recent counterinsurgency operations.

JP 5-0 provides a model that guides joint operations through the phases of conflict.³³ The model depicts a spectrum of engagement by military forces that spans from shaping operations to enabling civil authority. However, it is of limited utility as conceptual framework for a whole of government approach because it is not mandated for use by other governmental agencies. Joint Publication 1, *Doctrine for the Armed Forces of the United States*, the capstone for U.S. joint military doctrine, states that the purpose of the U.S. military is to fight and win the nation's wars.³⁴ The organizing principle for the U.S. armed forces is based on the application of violence to attain national objectives, which results in a tendency to emphasize phase III, Dominate, when planning and executing operations. The result is that phase IV and V operations, Stabilize and

³¹ Bruce B. G. Clarke, *Conflict Termination: A Rational Model* (Carlisle Barracks: Strategic Studies Institute, 1992), 9-10. Bruce Clarke identifies six types of conflict/dispute termination that address methods to resolve the differences leading to armed conflict. However, they may fall short of the national strategic aims.

³² *JP 3-0 Joint Operations*, IV-5-IV-6. According to JP 3-0, an imposed settlement is characterized by the threatened or actual occupation of an enemy's territory. A negotiated settlement is achieved through coordinated political diplomatic, military, and economic actions, which convince an adversary that to yield will be less painful than continued resistance. Indirect approach seeks to erode an enemy's power, influence and will through irregular warfare undermining the credibility and legitimacy of the political authority.

³³ *JP 5-0*, IV-36. The Joint Phasing Model consist of six phases beginning with phase zero; Shape, Deter, Seize the Initiative, Dominate, Stabilize, and Enable Civil Authority. These phases generally correspond with preventing and preparing for hostilities, demonstrating capability to deter adversaries, assure freedom of action for friendly forces, establish dominant force capabilities and achieve full-spectrum superiority, establish security and restore services, and lastly transfer to civil authority and redeployment.

³⁴ *JP 1*, I-10.

Enable Civil Authority respectively, receive less attention than required prior to the initiation of hostilities.

The phasing construct is flexible by doctrine, but the logical progression tends to imply a more linear process. However, this is rarely, if ever, the case in war. Typically, military operations must adapt to the Dominate phase and beyond with varying degrees of intensity and effort across multiple phases of the operation simultaneously. Surge operations in Iraq in 2007-2008 illustrate this point. At the height of sectarian violence in 2006, the U.S. determined that an increase of troops, renewed efforts in training indigenous security forces, and negotiations to reconcile with certain segments of the insurgency were necessary. Fighting increased sharply as soldiers moved from large Forward Operating Bases into smaller outposts next to population centers. In this case, phase IV, or Stabilize operations, required increased force and combat operations with varying intensities based on local conditions. It is essential that both the political and military establishments remain adaptive because states rarely complete wars under the expected circumstances, with the same organizations or leadership, or for the same reasons for which they started.³⁵

Successful conflict termination requires cooperation between the political leadership and military commanders. Political language, however, does not easily translate into a sound military plan, and policy may be ill-suited to the situation. As Yale Professor Charles E. Lindblom points out, one should not assume that policy formulation is a coherent and rational process.³⁶ A myriad of actors shape policy as compromise among political factions, interest groups, and other stakeholders. Additionally, as operations in Iraq and Afghanistan have demonstrated, policy development may occur simultaneously as military action is ongoing. This was illustrated in both

³⁵ G. John Ikenberry, *After Victory: Institutions, Strategic Restraint, and the Rebuilding of Order After Major Wars* (Princeton: Princeton University Press, 2001), 257.

³⁶ Charles E. Lindblom and Edward J. Woodhouse, *The Policy-Making Process*, 3rd ed. (Upper Saddle River: Prentice Hall, 1993), 10.

theaters by the decision to end violence by offering amnesty, reconciliation, and reintegration for some elements of the insurgency.

Often times, “political judgments are insufficiently conversant with the hard facts of the military domain.”³⁷ Consequently, the overall aims are more susceptible to the influence of battlefield successes and failures. As the war gains momentum and dominates the political landscape, policy begins to serve war, becoming the end in itself. Clausewitz states that policy guides war as an instrument and that the reversal of this relationship results in the divorcing of purposeful military action from politics that is “devoid of sense.”³⁸ It is critical for political leaders to endeavor to keep clear the purpose of war because when hostilities commence, leaders are in fact choosing an open-ended commitment because only the first act is planned.³⁹

Military leaders must translate the strategic guidance received from the national leadership into military objectives. Joint doctrine defines objectives as “the clearly defined, decisive, and attainable goal toward which every operation is directed.”⁴⁰ Clear articulation of the termination criteria and its parameters is necessary for successful, decisive military operations. The mechanism utilized by the military to guide the actions toward termination is the desired end state, “the set of required conditions that defines achievement of the commander’s objectives.”⁴¹ To achieve the desired environmental conditions, military commanders develop an operational approach using the armed forces to meet the needs of policy. Objectives and effects identified are

³⁷ Fred Charles Iklé, *Every War Must End*, rev. ed. (New York: Colombia University Press, 1991), 18.

³⁸ Carl von Clausewitz, *On War*, Edited by Michael Howard and Peter Paret (Princeton: Princeton University Press, 1984), 605-607.

³⁹ Fred C. Iklé, *Every War Must End* (New York: Columbia University Press, 1991), 8.

⁴⁰ *JP 1-02*, 333.

⁴¹ *Ibid.*, 158.

those that, once achieved, will allow the remaining national goals to be realized through other means.⁴²

Although the end state can be a broad description of the general conditions leading to the end of military operations, it is an inadequate construct for the military to address the complexities of conflict termination. Military intervention is an uncertain endeavor that alters the operational environment in a myriad of ways. Once hostilities begin, the very act of engaging in a violent contest leads to changes in conditions that affect both the political and military objectives. The environment does not remain static and belligerents may find themselves fighting for reasons completely different than those at the start of hostilities. The U.S., for example, entered the Korean War determined to restore the sovereignty of South Korea. Following the successful Inchon invasion, American objectives evolved significantly and the prospect of unifying the Korean peninsula was possible. After the intervention of Chinese Communist Forces, U.S. military victory no longer seemed possible and a new approach was taken that ultimately resulted in the 1953 armistice. During the course of the war, American policy clearly changed from unifying the Korean peninsula under a democratic government to that negotiated settlement which was advocated by General Mathew Ridgeway after Chinese involvement.⁴³

Using the end state as a guidepost creates a faulty linear presumption that if the military achieves the desired conditions, then armed conflict would end. Although ceasing combat operations is a necessary condition for peace, it is insufficient in itself to guarantee it, which elevates the centrality of the military and detracts from its true function as a servant to policy.⁴⁴ This imbalance causes leaders to mistake the ends with the means of force. The end state continues to evolve and inevitably requires resources and intervention that exceed the traditional

⁴² *JP 3-0*, IV-8.

⁴³ Halerpin, "War Termination as a problem in Civil-Military Relations," 93.

⁴⁴ Handel, *War Termination: A Critical Survey*, Jerusalem Papers on Peace Problems, 24th Edition (Jerusalem: The Hebrew University, 1978), 10.

role of the military. Strategy developed and employed at the start of the war may become invalid as the conflict progresses. Evolving circumstances require the adversaries to adapt which results in an emergent strategy.⁴⁵ Military intervention relies upon a higher principle of organization that integrates the instruments of national power, and translates battlefield success into strategic success. Since World War II, the U.S. practice of limited war as an organizing principle has led to an inadequate framework for the development of a national strategic vision harmonizing desired ends with available means.

The Search for American Strategy

To focus on achieving the military end state without integrating the other elements of national power results in an incoherent national strategy for war termination. The question arises, does the U.S. develop national strategies and objectives that provide sufficient strategic guidance to its military commanders? Renowned military historian and strategist, Sir Basil Liddell Hart, writes of a grand strategy that will “coordinate and direct all the resources of a nation, or band of nations, toward the attainment of the political object of the war-the goal defined by fundamental policy.”⁴⁶ Military strategy differs by focusing on the conduct of hostilities while national strategy considers a higher level of effort beyond the conflict.

Military strategy correlates the use of military forces with national policy objectives. However, the use of the term strategy is often confusing. In the traditional military sense, strategy refers to arranging military force on the battlefield to achieve victory. British military historian Hew Strachan asserts that the word strategy has acquired such universality that its specific

⁴⁵ Henry Mintzberg, *The Rise and Fall of Strategic Planning* (New York: The Free Press, 1994), 24-25. Henry Mintzberg describes emergent strategy as one where the realized strategy is one that was not intended. The initial strategy conflicts with the reality of an evolving environment which over time develop into a new unintended pattern, or strategy.

⁴⁶ Hart, *Strategy*, 322.

meaning to war is no longer clear.⁴⁷ The value of strategy in understanding how military intervention is contemplated and ultimately executed requires inquiry.

Military theorist Liddell Hart described strategy as the “art of distributing and applying military means to fulfill the ends of policy.” Army War College Professor Colin Gray views strategy as “the use made of force and the threat of force for the ends of policy.” Professor Everett Dolman from U.S. Air Force School of Advanced Air and Space Studies states that the purpose of strategy is the linking of the military means to the political ends.⁴⁸ Each of these views of strategy explicitly connects the use of force in pursuit of political goals. The centrality of force in the term strategy is useful for understanding the context of military termination. Once the threat of, or actual use of force ceases to be the primary means of dialogue, strategy has served its purpose and the process of conflict termination continues until peaceful negotiations produce a settlement.

Joint doctrine specifies that the President, Secretary of Defense, and the Chairman of the Joint Chiefs of Staff provide strategic direction.⁴⁹ Through this guidance, the military must establish objectives that will achieve the desired end state. Unfortunately, this is rarely the case. The tendency is for the military to develop elaborate plans detailing the employment of military power without clear political guidance. Consequently, separation of the political realm from the military leads to a disaggregated view of the problem and narrows its focus to functional tasks, potentially at the expense of long-term national objectives.⁵⁰

The conduct of the war will have a direct influence on the type of peace to follow. National leaders must provide clear guidance in terms of what the military’s involvement is to

⁴⁷ Hew Strachman, “Lost Meaning of Strategy,” *Survival*, Vol. 47, no. 3 (2005), 34.

⁴⁸ Dolman, *Pure Strategy: Power and Principle in the Space and Information Age*, 29-30.

⁴⁹ *JP 5-0*, II-1.

⁵⁰ John R. Boule II., “Operations Planning and Conflict Termination,” *Joint Force Quarterly* Autumn/Winter 2001-02: 98.

achieve. Synchronizing ends, ways, and means is critical to developing a strategy for success. It is essential that the tasks assigned to the military are consistent with its capabilities. Ensuring the object of military intervention is consistent with the objectives of policy allows for an effective and coherent operational approach to be created. Failure to remain cognizant of the ends of policy, and the methods used to achieve the objective, can plant seeds that will grow into future conflict.

Dr. Fred Charles Iklé, author of *Every War Must End*, asserts that many wars during the 20th century began with unclear expectations regarding the outcome and paid little attention to the desired ending.⁵¹ Military professionals develop plans to apply military force to compel the enemy to bend to its will.⁵² The commitment of the nation's blood and treasure leads soldiers and politicians alike to focus on military actions. Too much effort and focus concentrated on the conduct of war results in one losing sight of the political objectives which the military instrument serves. The difficulty of strategy is that its incorrect articulation, interpretation, or ambiguity can turn a conflict of limited resources into one of vague goals, and therefore unlimited ends.⁵³

Conflict Character

A difficulty that challenges those attempting to terminate war is gaining an appreciation for the character of the conflict. U.S. Army Lieutenant Colonel Michael Rampy in a 1992 *Military Review* article entitled, "The Endgame: Conflict Termination and Post-Conflict Activities," categorizes conflicts as either interest or values-based. Interest-based conflicts are

⁵¹ Fred Charles Iklé, *Every War Must End*, rev. ed. (New York: Colombia University Press, 1991), 108.

⁵² Carl von Clausewitz, *On War*, Edited by Michael Howard and Peter Paret (Princeton: Princeton University Press, 1984), 75.

⁵³ An example is the "gradualism" approach taken by President Johnson and his administration to coerce the North Vietnamese to end their operations in South Vietnam. Focusing on the effect of escalation and the potential of additional military firepower overshadowed the development of policy to guide military action.

transitory whereas value-based conflicts are considered deeply rooted.⁵⁴ The different characteristics at the source of the conflict will require very different approaches to terminate hostilities. Interests may be adjusted to accommodate the opposing positions, but value-systems present a more difficult obstacle to ending war because they are often non-negotiable. Conflicting values may be addressed in a manner that still bring the fighting to an end.

Military strategist and Army Colonel Bruce B.G. Clarke adds additional considerations regarding factors that influence the understanding of the nature of conflict. He proposes that when searching for how to terminate war, the focus must be on the aims, or goals, of the belligerents. Two categories are identified to describe the opposing objectives – success-oriented and conflict-oriented.⁵⁵ By focusing on the objectives that serve policy, one may achieve understanding of appropriate actions that are relevant to the termination of war. The key difference between those categories emphasized by Clarke and those by Rampy is that the latter attempts to identify the sources of the conflict while Clarke's typology attempts to ascertain the adversary's objectives in order to illuminate the reasons for fighting. Both authors, however, highlight the importance of understanding the nature and character of the conflict and how they limit the options for termination of war. Coercive actions must take into account the feasibility of achieving favorable circumstances ending war.

⁵⁴ Michael Rampy, "The Endgame: Conflict Termination and Post-Conflict Activities," *Military Review* 72 (October 1992), 46. Interest based conflicts are described by Michael Rampy as being "concerned with territory, roles, economics, or similar issues that are amenable to negotiation, suasion, or coercion." Values-based is described as "inclined to be disputes over a society or way of life, claims for equality of treatment, ideology or comparable struggles."

⁵⁵ B.G. Clarke, *Conflict Termination: A Rational Model* (Carlisle Barracks: Strategic Studies Institute, 1992), 3. Success-oriented is defined as goals where attaining the objectives will lead to "some increase in power, military security, economic well-being ideological support or will punish an opponent." Conflict-oriented is described as "where the seeking side will achieve some increased level of national dynamism, national honor, position, influence of one internal group over another, increased jobs or increased national profile as a result of being involved in the conflict and almost irrespective of its outcome."

Generally, there is no agreement on the specific conditions that must exist to achieve war termination. Some theories attempt to explain belligerent behavior through cost and benefits, and propose a rational-actor model. Others highlight the inability to predict the influence of non-rational factors such as values, freedom, and honor in the decision to end conflict.⁵⁶ The character of the international relations system has led Dr. Dan Reiter of Emory University to posit a bargaining theory in which war serves as the mechanism for reducing uncertainty using combat.⁵⁷ Additional analysis utilizing differing scales of the international system, domestic pressures, or individual personality as a method to evaluate wartime decisions adds additional complexity to the subject.

Dr. Fred Iklé points out that “if the decision to end a war were simply to spring from a rational calculation about gains and losses for a nation as a whole, it should be no harder to get out of a war than to get into one.”⁵⁸ Rather, war termination is a process that involves numerous influences and makes the prediction of its ending difficult if not impossible. In a democratic society, politics eschews reason or rationale due to its pluralistic nature and does not always follow rational calculation. Successful war termination, short of occupation or annihilation of the adversary, requires the consent of both sides.⁵⁹ Anything less than a political settlement that gains

⁵⁶ Handel, *War Termination: A Critical Survey*, Jerusalem Papers on Peace Problems, 24th Edition (Jerusalem: The Hebrew University, 1978), 30.

⁵⁷ Dan Reiter, *How Wars End* (Princeton: Princeton University Press, 2009), 2-3. An example of bargaining theory is provided by Dan Reiter in the book, *How Wars End*. Reiter proposes a bargaining theory of war that posits that the problems of uncertainty in the international system and inability to enforce commitments made by states leads to war as a mechanism to alleviate the concerns. It is the uncertainty that exists between the belligerents that cause the war and combat is the medium that provides information. Commitment compliance fears have an impact on the character of war termination. The greater the fears, the more likely the belligerents will seek an absolute victory that allows for occupation of territory of the installation of a friendly regime.

⁵⁸ Iklé, *Every War Must End*, 16.

⁵⁹ Barry Schneider, “Terminating Strategic Exchanges,” in *Conflict Termination and Military Strategy: Coercion, Persuasion, and War*, ed. Stephen J. Cimbala and Keith A. Dunn (Boulder: Westview Press, 1987), 116.

the cooperation of the populations, governments, and military forces leave the potential for renewed hostilities.

U.S. Military Intervention

As demonstrated in recent wars in Iraq and Afghanistan, American foreign policy goals rely on the military to assume the lead agency role in both war and post-conflict environments. In recent years, both military and civilian leaders have emphasized the need for civilian agencies to build greater capacity to assume leadership after major combat operations become secondary to stability and reconstruction.⁶⁰ The need for expert civilians to assist in post-conflict is apparent; however, only the military possesses the necessary organization, structure, capabilities, and resources to handle large scale post-conflict tasks. As a result, “the military will always have the main responsibility for establishing and maintaining public order, security, and emergency services in an immediate post-combat setting.”⁶¹

American Military Culture

Since its inception, the U.S. has been suspicious of a standing army. This is illustrated by the growing alarm over the increasing influence held by the Department of Defense as the agency of American foreign policy.⁶² Concern over the potential of manipulation of a centralized army against the citizens of America profoundly shaped the development of civil military relations. Renowned political scientist Professor Samuel Huntington’s seminal work, *The Soldier and the State*, has best articulated the subordination of the military to civilian leaders. This relationship is a manifestation of an inclination in American society to view a clear distinction between certain

⁶⁰ Dolman, *Pure Strategy: Power and Principle in the Space and Information Age*, 8.

⁶¹ Samuel R. Berger and Brent Scowcroft, *In the Wake of War: Improving US Post-Conflict Capabilities*, Council on Foreign Relations Independent Task Force Report No. 55, 2005, 13.

⁶² Nora Bensahel, Olga Oliker, and Heather Peterson, *Improving Capacity for Stabilization and Reconstruction Operations*. Monograph, Santa Monica, CA: RAND National Defense Research Institute, 2009. http://www.rand.org/pubs/monographs/2009/RAND_MG852.pdf (accessed April 5, 2011), 64.

elements within society. The result is a tendency to seeing an apparent division between winning and losing, war and peace, and military and politics within the realm of armed conflict.⁶³

Throughout American history, the people have displayed a strong conviction in the “exceptionalism” of the nation. Starting with the first immigrants, Americans believed that their newly established society would serve as a tangible example to the world of what a free society separate of monarchs could become.⁶⁴ This concept has manifested itself throughout U.S. history, as American leaders have remained outspoken advocates for the spread of democracy, individualism, and free markets. During the Cold War, President Ronald Reagan described the dream of America to be “a shining city upon a hill.”⁶⁵ Reagan’s comments harken back to the Christian values expressed by John Winthrop’s sermon given in 1630 by John Winthrop as he articulated God’s specific intervention to elevate the new society above all others as an example to the rest of the world.⁶⁶ This tradition reinforces the belief that America commits to war only to serve a just purpose and that U.S. forces conduct military operations and conclude the conflict in a way that supports its core values.

American military historian and strategist Dr. Edward Luttwak points out military force is intended to provide incentive to adversaries through “armed suasion,” compelling adversaries to alter unacceptable behaviors.”⁶⁷ U.S. military dominance in conventional battle reinforces its focus on attaining victory through decisive battle. The Senior Program Officer at the Smith Richardson Foundation, Dr. Nadia Shadlow, states that Huntington’s assertion that the military

⁶³ James W. Reed, “Should Deterrence Fail: War Termination in Campaign Planning,” 41.

⁶⁴ Walter A. McDougall, *Promised Land, Crusader State: The American Encounter with the World Since 1776* (New York: Houghton Mifflin Company, 1997), 20.

⁶⁵ Ronald Reagan, “Remarks Accepting the Presidential Nomination at the Republican National Convention in Dallas, Texas, August 23, 1984,” <http://www.reagan.utexas.edu/archives/speeches/1984/82384f.htm> (accessed March 20, 2011).

⁶⁶ John Winthrop, “A Model of Christian Charity” <http://religiousfreedom.lib.virginia.edu/sacred/charity.html> (accessed October 6, 2010).

⁶⁷ Edward Luttwak, *Strategy: The Logic of War and Peace* (Cambridge: Harvard University Press, 2002), 218.

profession is set apart because of its role of managing violence has profoundly shaped the view of the military.⁶⁸ Leveraging the technological capabilities of overwhelming firepower and force is generally considered as the way America wages war.⁶⁹ No better example of U.S. military excellence in applying these methods during the 20th century can suffice than the 100-hour ground war during Operation Desert Storm.

The success of technological advancements and precision munitions used during Operation Desert Storm established an expectation of quick military interventions that are relatively bloodless when compared to the conflicts of the mid-twentieth century.⁷⁰ Development of the all-volunteer force, professionalization of the military, and the immense investment in technology has provided the U.S. with the most dominant military in the world. The legacy of the failure of the U.S. in the Vietnam War led to an inclination of the defense establishment to focus on combat tasks with little desire to extend its responsibility for operations outside of the employment of military power.

The subsequent articulation of the Weinberger Doctrine in 1984 reinforced the tendency of the armed forces to maintain focus on decisive battle and combat tasks. A resolve to apply the lessons learned during the Vietnam War and rejection of the idea of using the military to enhance diplomacy led to a reluctance to commit troops if victory was questionable.⁷¹ This notion ignores

⁶⁸ Nadia Schadlow, "War and the Art of Governance," *Parameters*, Autumn 2003. <http://www.carlisle.army.mil/usawc/parameters/Articles/03autumn/schadlow.pdf> (accessed December 5, 2010): 92.

⁶⁹ Russell F. Weigley, *The American Way of War: A History of the United States Military Strategy and Policy* (Bloomington: Indiana University Press, 1973), xxii.

⁷⁰ David T. Kerrick, "Conflict Termination: It's Not Just for Politicians Anymore. Newport, RI, Naval War College, 1997. <http://handle.dtic.mil/100.2/ADA328160> (accessed October 10, 2010): 13.

⁷¹ Michael I. Handel, *Master of War: Classical Strategic Thought*, 3rd ed. (New York: Routledge, 2005), 308.

the fundamental truth that war is a tool for policy and not necessarily employed for the sake of “victory.”⁷²

The development of the Powell Doctrine and the tremendous success of the military operation during the Gulf War served to support the position that the military’s role should remain focused on the application of force to achieve national objectives. Following the U.S. victory over the Soviet Union in the Cold War, the U.S. military enjoyed success in Haiti, Bosnia, Kosovo, and initial triumph in Afghanistan, which stood to reinforce the habit of victory as an expectation.⁷³ The relative success achieved by the U.S. using military force as the primary instrument fostered an American condition of “victory disease.”⁷⁴

The Search for Victory

The concept of victory is easily applied if one operates in the realm of zero-sum environments – meaning that there exists a clear winner and a loser, with one side gaining the prize at the expense of the other. Army War College Professor J. Boone Bartholomees proposes that victory can be understood as it occurs on multiple sliding scales.⁷⁵ Success, decisiveness, and achievement work together to determine if one attains victory. Consequently, one side may not quite achieve victory or defeat due to a range of possible outcomes resulting from on military action. An examination of the concepts of winning and victory in the American military context

⁷² In the New Oxford American Dictionary, victory is defined as an act of defeating an enemy or opponent in a battle, game, or other competition. However, neither Army nor Joint Doctrine provides a definition. Instead the term “mission accomplishment” is used frequently and is based on criteria established to achieve national objectives.

⁷³ Colin S. Gray, “Defining and Achieving Decisive Victory,” Monograph, Strategic Studies Institute (United States Army War College, 2002), 4.

⁷⁴ Timothy M. Karcher, “The Victory Disease” http://www.army.mil/professionalWriting/volumes/volume1/september_2003/9_03_5.html (accessed January 16, 2011). Victory disease” by definition, brings defeat to a previously victorious nation or military due to three basic symptoms: arrogance, complacency, and the habit of using established patterns to solve military problems.

⁷⁵ J. Boone Bartholomees, “Theory of Victory,” *Parameters* XXVII, no. 2 (Summer 2008), 27.

reveal the interdependence of the concepts of decisive battle, end state, and conflict termination. A theory of victory is necessary to inform the military of the conditions it needs to achieve. In essence, it drives the military operation. For this reason, clarification of the concept of victory is required.

Colin Gray and J. Boone Bartholomees provide helpful constructs for the understanding of victory in war. Dr. Gray utilizes operational, strategic, and political contexts to illustrate different categories of victory. Operational victory is achieved through successful campaigns while strategic victory is attained by the opponent that wins the military conflict. Political victory is gained by the opponent that is able to achieve a favorable post war settlement.⁷⁶ Dr. Bartholomees adds a definition of tactical victory that consists of the result of “almost exclusively military activity” and introduces the important element of quantifiable metrics in determining when an opponent has won.⁷⁷

Using these definitions, it is apparent that strategic victory and the achievement of political aims is the most important element for favorable war termination.⁷⁸ However, the dynamic nature of war makes it impossible to apply a mathematical formula to war where victories achieved at the operational and strategic levels will always lead to political triumph.⁷⁹ As the Vietnam War demonstrated, military success at the tactical and operational level does not necessarily translate to strategic victory. Conventional military operations consistently ended in favor of U.S. forces. The North Vietnamese forces suffered tremendous military defeats during

⁷⁶ Colin S. Gray, “Defining and Achieving Decisive Victory,” *Monograph, Strategic Studies Institute* (United States Army War College, 2002), 11.

⁷⁷ J. Boone Bartholomees, “Theory of Victory,” *Parameters* XXVII, no. 2 (Summer 2008), 27.

⁷⁸ Robert Mandel, “Reassessing Victory in Warfare.” *Armed Forces and Society* 33, no. 4 (July 2007). <http://www.afs.sagepub.com/content/33/4/461> (accessed November 23, 2010): 469.

⁷⁹ Carl von Clausewitz, *On War*, Edited by Michael Howard and Peter Paret (Princeton: Princeton University Press, 1984), 141.

the Tet and Easter offensives of 1968 and 1972, respectively. Nevertheless, the Communists achieved political victory by reunifying Vietnam despite previous U.S. military successes.

A necessary component for victory is to win some aspects of the contest. Winning implies that “achieving success on the battlefield and in securing some political goals, but not, for whatever reasons, reaching total political success.”⁸⁰ One can win a conflict, but not achieve a lasting victory which addresses the underlying political tensions that precipitated the hostilities. For example, the continued Arab and Israeli tension remains although the Jewish state has won every conflict since 1947.

A critical point presented by Dr. Robert Mandel is that victory is subject to perspective.⁸¹ It may be that the presumed loser does not accept what one belligerent views as success or defeat. At the tactical and operational levels, there are likely to be quantifiable metrics, such as the number of attacks or body counts, which may serve to support a claim of victory. The critical distinction is that winning applies to the outcome between the opposing forces, while victory is an end result with a favorable political condition. As such, it is subject to the messiness of the intangibles found in societies, psychology, and perspective.

Stability Operations and the Role of the Military

Military operations in the contemporary environment cannot focus solely on combat tasks. Acknowledging the difficulties posed by post-conflict operations in Iraq and Afghanistan, Department of Defense Directive 3000.5, *Stability Operations*, elevates stability tasks to be equivalent to combat operations.⁸² In the 2009 dated directive, stability operations are defined as, “encompassing various military missions, tasks, and activities conducted outside the United

⁸⁰ J. Boone Barthlomees, “Theory of Victory,” *Parameters* XXVII, no. 2 (Summer 2008), 28.

⁸¹ Robert Mandel, “Reassessing Victory in Warfare.” *Armed Forces and Society* 33, no. 4 (July 2007) <http://www.afs.sagepub.com/content/33/4/461> (accessed November 23, 2010), 464.

⁸² Department of Defense, *Department of Defense Instruction 3000.5*, 2.

States in coordination with other instruments of national power to maintain or reestablish a safe and secure environment, provide essential governmental services, emergency infrastructure reconstruction, and humanitarian relief.”

The unique capabilities possessed by the U.S. armed forces make it the only institution capable of executing stability tasks on a large scale. The directive formalizes the requirement for a stability operations capability in the Department of Defense across the spectrum of conflict under varying circumstances and timelines. Future employment of US forces will require an appreciation and acceptance of non-traditional roles. As a conflict ends, there is likely to be some blurring of the distinction between functions that are typically within the jurisdiction of the military versus civilian organizations.⁸³

Stability, Security, Transition, and Reconstruction (SSTR) operations are defined in the 2005 version of DoD Directive 3000.5 as “activities that support U.S. Government plans for stabilization, security, reconstruction and transition operations, which lead to sustainable peace while advancing U.S. interests.” This directive was significant because it established the DoD as a supporting, rather than the supported, agency. One significant problem with the document is that it almost exclusively discusses stability operations, but neglects to define security or reconstruction.

The greatest challenge to successful SSTR operations is the inability for effective integration of the interagency capabilities into the military planning and execution.⁸⁴ The lack of an institutional mandate for military forces to assume direct responsibility for developing proficiency in SSTR tasks causes a gap in capability. Although the military can tailor its force for specific actions outside of war fighting, it is only able to provide those as a short-term solution.

⁸³ Michael Codner. “Bringing an End to an Old-Fashioned War?” *RUSI Journal* June 1999, 11.

⁸⁴ Secretary of Defense, *Report to Congress on the Implementation of DOD Directive 3000.5 Military Support for Stability, Security, Transition, and Reconstruction (SSTR) Operations*. (Washington D.C.: Department of Defense, 2007), i.

Its organization, training, and equipment are developed for the rationale of combat, not necessarily other non-traditional tasks. However, American military success in achieving national aims during the Plains' Indians Wars, in the Philippines in the early 20th century, and in Germany post WWII has reinforced the notion that the military can do it all. Because U.S. Government bureaucracies do not possess the required resources to execute operations in austere environments, political leaders are typically forced to task the military as the best solution among limited choices.

The current assessment in *JOE 2010* is, that in the coming decades, the U.S. military will find itself "continually engaged in some dynamic combination of combat, security, engagement, and relief and reconstruction."⁸⁵ Institutionally, the military establishment recognizes the blurring of combat and post-combat tasks that are already a dominant part of the battlefield. This will require integration of organizations with specialized expertise with which the military has not previously maintained habitual relationships – agencies such as the Department of Justice, Federal Bureau of Investigation, and Department of the Treasury. Challenges will be apparent as differing agencies possess dissimilar views of the environment. For example, the Combatant Commands geographical responsibilities differ from that of the Department of State, which may pose problems in coordination.⁸⁶ In modern war, each phase of the conflict requires involvement of interagency, international, non-governmental, and private organizations.⁸⁷

In 2004, acknowledging that the U.S. needed to institutionalize the capacity for conflict prevention, post-conflict stabilization, and reconstruction, the Office of the Coordinator for Reconstruction and Stabilization (S/CRS) under the Department of State (DOS) was created.

⁸⁵ *JOE 2010*, 4.

⁸⁶ Map of US Department Geographic Commands and Department of State's Regional Bureaus. <http://www.state.gov/t/pm/c17251.htm>

⁸⁷ Conrad C. Crane and W. Andrew Terrill. "Reconstruction Iraq: Insights Challenges, and Mission for Military Forces in a Post-Conflict Scenario." *Monograph, Strategic Studies Institute* (U.S. Army War College, 2003), vi.

Although the National Security Council (NSC) was responsible for coordinating policies across the government, the U.S. lacked a lead agency that held the responsibility for synchronizing efforts across the civilian organizations to apply a whole of government approach to problems overseas. National Security Presidential Directive 44 (NSPD-44), published in 2005, codified the leadership of the Department of State in stabilization and reconstruction activities.⁸⁸

In the subsequent years, funding challenges and limits on personnel assigned to S/CRS have proven to frustrate the attempt to synergize the relationship between the DOS and DOD.⁸⁹ Additionally, its Civilian Response Corps is projected to have less than 200 full-time active members and an additionally 1,000 reserve personnel at the end of FY 2010.⁹⁰ Considered the best-suited governmental organization to support conflict prevention, post-conflict stabilization, and reconstruction, S/CRS does not significantly affect the fundamental shortfalls associated with organizations outside of the military in regards to the necessary resources to operate in austere or dangerous environments. Currently, there exists no substantial organizational structure that holistically addresses the challenges of SSTR operations. Consequently, the U.S. military will continue to direct post-conflict operations as the only effective means for American overseas intervention.

Military leaders have attempted to create ad-hoc solutions to bridge gaps in expertise outside of war fighting. The use of Joint Interagency Coordination Groups (JIACG), or other coordinating groups, has become a standard practice at Combatant Command headquarters, including Central Command (CENTCOM) and Pacific Command (PACOM). These groups

⁸⁸ NSPD-44, <http://www.fas.org/irp/offdocs/nspd/nspd-44.html> (accessed on February 8, 2011): 2.

⁸⁹ During FY 2006, the Department of Defense requested that 100 million dollars from the DOD budget be allocated to support S/CRS. <http://www.crs.state.gov/index.cfm?fuseaction=public.display&shortcut=49R3> (accessed December 6, 2010).

⁹⁰ Department of State Civilian Response Corps composition, <http://www.state.gov/documents/organization/137576.pdf> (accessed December 6, 2010).

provide military commanders and planners with resident expertise in specific areas of concern, but the central problem of authorities remains unchanged. Unfortunately, the personnel assigned to the JIACGs only perform liaison duties with their agencies because they possess no directive authorities.⁹¹

In 2003, General Anthony Zinni remarked that the lack of an overarching interagency structure leads to “only such cooperation is on an ad-hoc, person-to-person, or group-to-group basis.”⁹² In addition to capability gaps in the interagency environment, there is often confusion about priorities. Nadia Schadlow asserts that, “military and political leaders must distinguish between governance operations, which are a core element of all wars, and activities such as peace operations and peacekeeping that may occur independently of war.”⁹³ According to Professor Schadlow the difference is that the purpose of war is to create a favorable political order while peacekeeping is not necessarily focused on forcibly changing the political order. Understanding the difference in the methods applied to achieve national aims, which is context specific, is critical in preventing a piecemeal approach where the military and civilian agencies operate independently.

The integration of diplomatic, informational, and economic capabilities is inherent in military operations and required to achieve the political objectives. It is not enough to create ad-hoc organizations or build new coordination centers without the authority to employ the assets associated with agencies outside the control of the military. Operation Blind Logic in Panama, enforcement of the “no-fly” zones over Iraq after Desert Storm, and U.S. involvement in Bosnia

⁹¹ Mathew F. Bogdanos, “Joint Interagency Cooperation: The First Step,” *Joint Force Quarterly* 37, (2005), 12.

⁹² Christopher L. Naler, “Are We Ready for an Interagency Combatant Command?” *Joint Force Quarterly* 41, (2006), 27.

⁹³ Nadia Schadlow, “War and the Art of Governance,” *Parameters*, Autumn 2003. <http://www.carlisle.army.mil/usawc/parameters/Articles/03autumn/schadlow.pdf> (accessed December 5, 2010), 85.

illustrate that termination of armed conflict often requires an ongoing engagement of military forces even after hostilities have concluded. Governance operations have been treated as peripheral post-conflict missions, leaving field commanders ill-prepared for governance tasks and delaying consolidation of a conflict's political aims.⁹⁴ As Iraq demonstrated, artificial limits placed on the number of personnel deployed wishes away the requirements for a large number of troops and resources for occupation duties.

Utilizing the architecture metaphor of form following function, the current military structure is designed to decisively defeat conventional threats through application of firepower and superior technology. Post-Cold War experiences in Military Operations Other Than War (MOOTW), as well as those in Iraq and Afghanistan, make obvious the problems with trying to adapt an organization to perform a function counter to its design.⁹⁵ The U.S. Army's transformation to a brigade-centric organization did not fundamentally change its focus on dominating conventional warfare. Understandably, the dangers posed by a near-peer competitor versus that of irregular threats necessitates maintaining the capability to prevail in conventional conflicts. However, by inadequately addressing the vulnerabilities that exist by lacking a force structure (form) to deal with the requirements of SSSTR, an opportunity exists for adversaries of the U.S. to capitalize on asymmetric advantages.⁹⁶

⁹⁴ Ibid., 92.

⁹⁵ Military Operations Other Than War (MOOTW) defined as encompassing the use of military capabilities across the range of military operations short of war as found in JP 3-07, dated 16 June 1995. Now an obsolete term, it was previously used in doctrine to address operations considered less than war and encompassed both combat and non-combat operations.

⁹⁶ Joseph Henrotic, "Ontological-Cultural Asymmetry and the Relevance of Grand Strategies," *Journal of Military and Strategic Studies* 7, Issue 2 (Winter 2004). www.jmss.org/jmss/index.php/jmss/article/download/182/200 (accessed April 15, 2011). Professor Joseph Henrotic describes the tendency to apply "mirror-imaging" to understand the opponent's rationality. The focus of the U.S. on military domination in war as separate from the post-conflict problems presents an opportunity for adversary's to utilize terrorism or other non-traditional tactics to erode the legitimacy and national support for continued involvement.

Translating military success into a favorable environment for winning the peace requires an organizational structure that adequately synchronizes combat and post-combat activities. Professor Yaneer Bar-Yam, an expert on complex systems theory, asserts that to succeed in a complex environment, one must be complex.⁹⁷ A key component to Dr. Bar-Yam's description of organizational effectiveness is that it is limited by its structure.⁹⁸ A single military commander is only able to process so much complexity. For that reason, he or she has a staff to sift through the information and assist the commander in making decisions. In current operations, there lacks an organizational structure that integrates the numerous agencies involved in SSTR. NSPD-44 directs that the Department of State is the lead agency for stability and reconstruction operations. However, transition between combat to stability operations is not clear cut. Combat operations may be required long after decisive operations have concluded, which creates confusion as to who is the lead agency. Current conflicts highlight the interdependence of security with stability, economic development, and reconstruction. Using a military governance model can alleviate many of these obstacles by unifying the responsibilities of fighting the war and its inseparable impact on the post-conflict environment.

Military Governance

Problems facing the U.S. operations in Iraq and Afghanistan during the post-combat phases are not a new phenomenon. Among other instances of military government employed by the U.S. along the American frontier, Mexico, and in U.S. South during Reconstruction, two notable instances are throughout the Philippine War and following the defeat of the German

⁹⁷ Yaneer Bar-Yam, *Making Things Work: Solving Complex Problems in a Complex World* (Cambridge: Knowledge Press, 2004), 67.

⁹⁸ Ibid., 66. Three types of control structures are hierarchy, hybrid, and network. Most organizations today are hybrid. There are limits to the ability of organizations to deal with complexity. For instance, in a pure hierarchy, the leader of the organization has limits in the amount of information that he can process. As a result, the ability to process information is finite, and subsequently the limited understanding of the environment shapes the options available for decisions.

military in World War II. To achieve the national strategic aims, the constantly changing environment necessitated that military commanders possess the ability to influence local circumstances, integrating the instruments of national power within a single entity. An agile military government served to ease the transition from combat to post-conflict operations.

Current doctrine does not adequately address the concept of military governance. *Joint Publication 3-57, Civil-Military Operations*, describes the organization, responsibilities, and considerations for integrating civilian agencies and instruments of national power with military operations. Emphasis, however, is placed on the ability to integrate and synchronize the efforts of numerous participants. *Army Field Manual 3-07, Stability Operations*, provides the construct of *transitional military authority*, defined as “a temporary military government exercising the functions of civil administration in the absence of a legitimate civil authority.”⁹⁹ It may be required in many situations, but specifically during the liberation of occupied territories, occupation of hostile areas, or establishing control of ungoverned spaces.

In these doctrinal publications, there is an acknowledgement of the requirement to integrate civil and military operations under a number of circumstances, but there exists no clear doctrine to establish the organization, capabilities, and authorities for a military government. Given this, one must return to previous doctrine to find a useful description. The 1947 *Field Manual 27-5, Civil Affairs Military Government* provides the following definition:

The supreme authority exercised by an armed occupying force over the lands, properties, and inhabitants of an enemy, allied, or domestic territory. Military government is exercised when an armed force has occupied territory, whether by force or agreement, and has substituted its authority for that of the sovereign or previous government. The right of control passes to the occupying force limited only by the rules of international law and established customs of war.¹⁰⁰

⁹⁹ Department of the Army, *Field Manual 3-07 Stability Operations* (Washington D.C.: Government Printing Office, 2008), 5-2. *FM 3-07 Stability Operations* defines transitional military authority as a temporary military government exercising the functions of civil administration in the absence of a legitimate civil authority.

¹⁰⁰ Department of the Army, *Field Manual 27-5 Civil Affairs Military Government* (Washington D.C.: Government Printing Office, 1947), 2-3.

Since no current doctrine exists which clearly articulates military governance, one must look to reasons that would require such an organization. The Hague Convention of 1907 and Geneva Convention of 1949, known as the Law of Armed Conflict (LOAC), provide the foundation for legal military occupation. Military government and belligerent occupation are closely-related concepts, however, they are not necessarily synonymous. The LOAC does not address military governance per se, rather conditions leading to authority over occupied territories and responsibilities for its administration. Occupation of territory resulting in authority over the population and control of resources is the basis for organizing military forces to address the civil problems, both during and post-hostilities.

The 1907 Hague Convention defines belligerent occupation in this way: “Territory is considered occupied when it is actually placed under the authority of the hostile army. The occupation extends only to the territory where such authority has been established and can be exercised.”¹⁰¹ Additionally, Hague Convention Article 43 specifies, “The authority of the legitimate power having in fact passed into the hands of the occupant, the latter shall take all the measures in his power to restore, and ensure, as far as possible, public order and safety, while respecting, unless absolutely prevented, the laws in force in the country.”¹⁰² By virtue of rendering the adversary’s government incapable of effectively administering to the population, military occupation is a question of fact.¹⁰³ Once military forces have overcome resistance that prevents effective control over the occupied areas, the responsibility to safeguard and provide for the population becomes a requirement and expectation by international law. The 1949 Geneva Convention goes further to clarify the treatment of civilians during hostilities and occupation, but

¹⁰¹ Hague Convention Number (IV) Respecting the Laws and Customs of War on Land, October 18, 1907, Art. 42. Further reference to this Hague Convention will be as HC.

¹⁰² Ibid., 13.

¹⁰³ FM 27-5, 139.

does not significantly alter the fundamental requirement to provide services to the population that are consistent with a functioning government.

Through a combination of coercive and constructive activities, the U.S. can shape the battlefield and achieve tactical dominance. However, it is only by addressing the adversary's government, military, and population and their collective agreement with a combination of coercion, persuasion, and suasion, that favorable war termination consistent with political ends can be achieved. Military government provides an organizational structure that allows for winning the peace by bridging battlefield victory to the political realm where success is ultimately determined. Current Army stability operations doctrine explicitly identifies five broad categories of tasks that serve to "achieve broader national policy goals that extend beyond the objectives of military operations."¹⁰⁴ The tasks directly relate to the Department of State's Stability Sectors and provide further emphasis that both institutions recognize the need for capabilities that transcend the current organizational constructs.¹⁰⁵

The U.S. involvement in the Philippines in the early 19th century and in Germany after World War II illustrates the limits of combat operations to achieve political aims. In both conflicts, the strategic context and political goals did not remain static; international and domestic pressures, battlefield reports, along with many other factors, led to an emergent strategy. Success required an adaptive organization that possessed the resources and authorities to ensure the ends, ways, and means remained nested to achieve the political aim.

¹⁰⁴ *Field Manual 3-07 Stability Operations*, vii, 2-5. The five Army stability tasks are: Establish Civil Security, Establish Civil Control, Restore Essential Services, Support to Governance, and Support to Economic and Infrastructure Development. These directly correspond to the Department of States' Stability Sectors: Security, Justice and Reconciliation, Humanitarian Assistance and Social Well-Being, Governance and Participation, and Economic Stabilization and Infrastructure. Each of these elements is interdependent and helps a nation to transition from a state of armed conflict to one of stability. Implied in the doctrine is that more than battlefield victory is required to eliminate factors that drive instability and allow for the U.S. to conclude military intervention on favorable terms.

¹⁰⁵ *Ibid.*

Philippines 1899-1902

After the 1898 defeat of the Spanish in Cuba, President William McKinley swiftly dispatched military forces to the Philippine archipelago. Commodore George Dewey's defeat of the Spanish naval fleet led President McKinley to believe that the initial success had severed effective Spanish authority of the islands.¹⁰⁶ As a result, the President established that the initial priority for the occupation forces was to affect "the severance of former political relations of the inhabitants and the establishment of new political power."¹⁰⁷

President McKinley directed General Merritt, the commander of the Philippine expedition, to establish a military government without defining the future of the territory and therefore no objective to guide purposeful actions.¹⁰⁸ Renowned Philippine War historian, Professor Brian McAllister Linn, characterizes the U.S. involvement as "accidental and incremental."¹⁰⁹ During the month of May in 1898, Major General Nelson Miles, the Commanding General of the Army, issued three different missions for the Philippine expedition adding to the confusion.¹¹⁰ On May 19, President McKinley finally issued guidance that the expedition had the "twofold purpose of completing the reduction of Spanish power and of giving order and security to the islands while in possession of the United States."¹¹¹ Still, this guidance proved to be ambiguous and did not clarify the role of the military in achieving its political goal. The expedition departed without a larger national strategy; however, once the decision to annex

¹⁰⁶ Brian McAllister Linn, *The Philippine War: 1899-1902* (Lawrence: University of Kansas Press, 2000), 6.

¹⁰⁷ Ibid.

¹⁰⁸ Timothy K. Deady, "Lessons for a Successful Counterinsurgency: The Philippines, 1899-1902," *Parameters*, Spring 2005.
<http://www.carlisle.army.mil/usawc/parameters/Articles/05spring/deady.pdf> (accessed March 12, 2011): 56.

¹⁰⁹ Linn, *The Philippine War: 1899-1902*, 5.

¹¹⁰ Ibid., 6.

¹¹¹ Brian McAllister Linn, *The Army and Counterinsurgency in the Philippine War, 1899-1902* (Chapel Hill: The University of North Carolina Press, 1989), 2.

the Philippines had been made, the basic plan was clear enough – suppress the insurrection and establish civil rule.¹¹²

American victory over the Spanish stoked great hope among the Filipinos that an independent nation would be forthcoming. The Filipinos had waged an unsuccessful guerrilla war against Spanish authority in 1896-1897.¹¹³ The Treaty of Paris, signed in December of 1898, ceded the Philippines to the U.S. for 20 million dollars, which transferred the sovereignty of the nation to the U.S. On December 21, 1898, President William McKinley issued the proclamation that justified the annexation of the Philippines and set parameters for subsequent military strategy and operations. Concern over the potential for other colonial powers to seize opportunity to gain a new possession and the belief that the Filipinos were unable to govern themselves led to a policy of “benevolent assimilation.”¹¹⁴

The proclamation directed that the U.S. extend the presence of military government throughout the whole ceded territory and that the goal of the army was to “win the confidence, respect, and affection of the inhabitants” by demonstrating that the “mission of the United States is one of benevolent assimilation, substituting the mild sway of justice and right for arbitrary rule.”¹¹⁵ The leader of the Philippine nationalist movement and self-proclaimed President, Emilio Aguinaldo, reacted by launching an attack on U.S. forces in Manila in February of 1899. After significant Filipino setbacks due to the overwhelming firepower and organization of the U.S. military, Filipino guerilla tactics were adopted and an insurgency in the archipelago followed.

¹¹² Rowland T. Berthoff, “Taft and MacArthur, 1900-1901: A Study in Civil Military Relations,” *World Politics*, Vol. 5, No. 2 (Jan 1953). <http://www.jstor.org/stable/2008980> (accessed March 28, 2011): 198.

¹¹³ Andrew Birtle, *U.S. Army Counterinsurgency and Contingency Operations Doctrine 1860-1941* (Washington D.C.: Center of Military History United States Army, 2004), 110.

¹¹⁴ Dedy, “Lessons for a Successful Counterinsurgency: The Philippines, 1899-1902,” 54.

¹¹⁵ Linn, *The Philippine War: 1899-1902*, 30.

Major General Elwell Otis took command of the Army in the Philippines in August 1899 and assumed the role of military governor after General Merritt departed to participate in the Paris Treaty negotiations. General Otis initially focused his pacification efforts on the northern islands and established the Office of Military Governor (OMG). He organized the occupied territory into an administrative structure that divided the Philippines into four geographic departments.¹¹⁶ The Bates Agreement of 1899 gave the Sultan of Sulu authority to govern the Sulu islands contingent upon his recognition of U.S. Sovereignty.¹¹⁷ As both the commanding general of the Military Division and military governor of the Philippines, General Otis was able to oversee and coordinate the transition between military to civil administration.

The geography and limited infrastructure significantly impacted the conduct of military operations and the extent to which effective governance could be exercised. Recognizing the importance of gaining the support of the population, General Otis initially focused on the civic action programs and believed that progress in this area would break the insurrection.¹¹⁸ Manila benefitted from the infusion of millions of U.S. dollars and the focus on development of infrastructure, among other civic reforms. From July 1899 to June 1900, 114,000 Filipinos were vaccinated against smallpox, roads were constructed, streets were cleaned, and Manila became a modern model city.¹¹⁹ This progress demonstrated the potential benefits of U.S. rule and the promise of democratic government.

The U.S. Army performed occupation duties which required Army officers to act both as military commanders and the civil authority. Army garrisons significantly increased from a

¹¹⁶ Ibid., 198.

¹¹⁷ Andrew Bacevich, "Disagreeable Work: Pacifying the Moros, 1903-1906" *Military Review* (June 1982), 50-51.

¹¹⁸ Deady, "Lessons for a Successful Counterinsurgency: The Philippines, 1899-1902," *Parameters* (Spring 2005), 55.

¹¹⁹ Brian McAllister Linn, "The Philippines: Nationbuilding and Pacification," *Military Review* (April-March 2005), 47.

limited number in 1899 to over 400 the following year.¹²⁰ Colonels, captains, and lieutenants performed duties as “town majors, customs officials, police chiefs, tax collectors, civil judges, chief engineers, and sanitation inspectors blurring the distinction between military and civilian duties.”¹²¹ Although the U.S. military made tremendous advances in Manila, the growing insurgency in the rural areas forced the military to conduct occupation duties and combat operations simultaneously.

General Arthur MacArthur succeeded General Otis in May 1900 and believed that the Filipino revolutionaries had organized themselves into irregular forces and employed unconventional tactics to avoid set-piece battles.¹²² In response to the concern over insurgent organization of shadow governments and support among the urban areas, military operations were expanded to further the implementation of local government. Through the process of ensuring that honest Filipino officials were elected and local services maintained, an impressive amount of census data was collected, which served civil administration purposes and provided intelligence for military operations.¹²³ Additionally, in December 1900, General MacArthur issued a communiqué to the people of the Philippines based on the American Civil War General Order 100, articulating a more stringent policy governing the treatment of those suspected of supporting the insurgency.¹²⁴ Increased pressure, applied by the army on the population through policies of “attraction and chastisement,” led to a significant number of small arms turned over to

¹²⁰ Ibid., 48.

¹²¹ Ibid., 51.

¹²² David J. Silbey, *A War of Frontier and Empire: The Philippine-American War, 1899-1902* (New York: Hill and Wang, 2007), 143.

¹²³ Brian McAllister Linn, “Intelligence and Low Intensity Conflict in the Philippine War, 1899-1902,” (paper presented at the 3rd Annual Conference on Intelligence, Deception, and Military Operations, U.S. Army War College, Carlisle Barracks, PA, 1988), 12.

¹²⁴ Silbey, *A War of Frontier and Empire: The Philippine-American War, 1899-1902*, 162-163.

American forces as well as increasing the number of insurgents surrendering.¹²⁵ The capture of Emilio Aguinaldo dealt a blow to the revolutionary movement and served to reinforce the legitimacy of U.S. authority. The combination of progress in security with the continued development of civil administration and services allowed the U.S. to set the conditions for transfer to a civilian led government. President McKinley wanted the transition to begin in September 1900 under the supervision of the second Philippine Commission.¹²⁶

The second Philippine Commission appointed by President McKinley sought to oversee the transfer of governance from the military to civilian authorities. Led by William H. Taft, the plan was for each province to be turned over to the governance of the commission upon being pacified.¹²⁷ Once the occupied territory was at peace, complete control would be handed over from the OMG to Taft, who was the new governor. The pace at which the transition was to occur, however, placed General MacArthur and Taft at odds. Fundamental policy differences between MacArthur and Taft over the establishment of a native constabulary force, authority to legislate, and tasking authority over soldiers who were performing civil administration duties ultimately led to MacArthur's reassignment in July 1901.¹²⁸ Subsequently, Army Major General Adna Chafee replaced General MacArthur and issued General Order 173, transferring 23 of the provinces to the commission.¹²⁹ Although there was criticism that the timing of the transition was hasty and premature, the Taft-led government proved successful as it continued civil projects, many of which had been established by the Army under the military government.¹³⁰

¹²⁵ Ibid., 170

¹²⁶ Linn, *The Philippine War: 1899-1902*, 216

¹²⁷ Ibid.

¹²⁸ Berthoff. "Taft and MacArthur, 1900-1901: A Study in Civil Military Relations," 213.

¹²⁹ Linn, *The Philippine War: 1899-1902*, 217.

¹³⁰ John M. Gates, *Schoolbooks and Krag: The United States Army in the Philippines, 1898-1902* (Westport: Greenwood Press, 1973), 273.

President McKinley declared the insurrection officially over in July 1902 and thanked the U.S. Army for pacifying the islands.¹³¹ However, in 1903 the U.S. decided to abandon the system of indirect rule and created the Moro Province and, under the direction of the Philippine Commission, instituted a military government.¹³² Although the establishment of military government and the conduct of operations in the Sulu Archipelago are beyond the scope of this monograph, the actions of military government under Generals Leonard Wood, Tasker Bliss, and John Pershing as the chief military and civilian authorities in the province led to a successful transition to civilian authority by 1913.¹³³ During the 1899-1902 conflict on the mainland and the 1903-1913 campaign in the Moro Province, commanders balanced security requirements with civic actions, with varying degrees of success, ultimately leading to acceptance of U.S. rule.

At the onset of operations in the Philippines, the U.S. political aim remained ambiguous. The policy of “benevolent assimilation” and annexation of the Philippines clarified the national strategy for bringing order to the Philippines as a possession of the U.S., although the policy lacked specific objectives. Other than the Army, no organization existed to occupy territory and either coerce or persuade the inhabitants to accept U.S. sovereignty and adapt to changing strategic considerations. The goal of transferring governance authority to civilians required that the army conduct operations to influence the local populace, military forces, and establish an effective government and ultimately resulted in favorable war termination.

¹³¹ Linn, *The Philippine War: 1899-1902*, 219.

¹³² Charles A. Byler, “Leonard Wood, John J. Pershing, and Pacifying the Moros in the Philippines: Americans in a Muslim Land,” in *Turning Victory into Success*, ed. Brian M. De Toy (Fort Leavenworth: Combat Studies Press, 2004), 91.

¹³³ *Ibid.*, 100.

Germany World War II

Shortly after the U.S. entered World War II, the War Department recognized that civilian administration was a necessary function of military operations overseas.¹³⁴ Urgent military tasks, as well as political duties, would become the responsibility of the army. Since no other U.S. organization possessed the capability to administer to occupied territories on a large scale, military commanders would inherit the task of executing American foreign policy beyond the battlefield.¹³⁵ President Roosevelt preferred civilian over military government but felt that the requirements to deploy men and resources where and when they were needed could only be done by the military.¹³⁶ Additionally, Secretary of War Stimson emphasized the “unwisdom” of moving too rapidly from military to civilian authority while Secretary of State James F. Byrnes believed that the Department of State was a policy-making organization rather than an operational entity.¹³⁷ Together, these resulted in President Roosevelt writing to Secretary Stimson that the “Army will have to assume the initial burden” of civil activities in the liberated areas.¹³⁸

As the U.S. military liberated lands from German control, resources to sustain both the American army and the local population required an organization to manage materiel needs during ongoing offensive operations. When the U.S. forces entered Germany, the commander found that damage to the German national infrastructure, large numbers of displaced persons, an economy in shambles, and the utter collapse of the Nazi government all posed significant

¹³⁴ Hojo Holborn, *American Military Government: Its Organization and Policies* (Washington D.C.: Infantry Journal Press, 1947), 1.

¹³⁵ Ibid., 2.

¹³⁶ Earl F. Ziemke, *The U.S. Army in the Occupation of Germany 1944-1946* (Washington D.C.: Center of Military History United States Army, 1964), 21.

¹³⁷ Ibid., 21.

¹³⁸ Ibid., 22.

obstacles in carrying out occupation duties.¹³⁹ The character of peace achieved would largely depend on the actions of military commanders as the Allied Army progressed through Western Europe into Germany.

Allied war aims were primarily articulated at three conferences: Casablanca in January 1943, Yalta in February 1945, and Potsdam in August 1945.¹⁴⁰ The overarching U.S. strategy of “unconditional surrender” was a product of the Casablanca Conference of 1943. The Yalta conference called for the “destruction of Nazism, the disarmament of Germany, the speedy punishment of war criminals, reparations, and an economy able to sustain the German people but not capable of waging war.”¹⁴¹ The summit in Potsdam addressed political and economic issues in greater detail and set the international framework for occupation and administration of post-conflict Germany. Challenges faced by the U.S. and Allies in implementing these goals required the development of an organizational structure to manage the myriad of tasks. Fortunately, the experience of the U.S. in post-World War I occupation duties established a foundation for analysis and preparation for the enormous task ahead.

Colonel Irwin Hunt served as the Officer in Charge of Civil Affairs for the Third Army during the occupation of post World War I Germany. During the U.S. Army’s occupation of the Rhineland, Colonel Hunt recognized that the “American army of occupation lacked both training and organization to guide the destinies of nearly one million civilians whom the fortunes of war had placed under its temporary sovereignty.”¹⁴² During the interwar years, little attention was paid to the recommendations of the Hunt Report. However, renewed interest emerged to the

¹³⁹ James Dobbins, *America’s Role in Nation Building: From Germany to Iraq* (Santa Monica, CA: RAND: 2003), 4.

¹⁴⁰ *Ibid.*, 3.

¹⁴¹ *Ibid.*

¹⁴² Ziemke, *The U.S. Army in the Occupation of Germany 1944-1946*, 3.

necessity of military government led to the development of Field Manual 27-10, *The Rules of Land Warfare* and the Field Manual 27-5, *Military Government*, both published in 1940.¹⁴³

The two manuals laid the foundation for duties that future military commanders would assume as occupying forces. The lack of governance capability resident within U.S. Army coupled with the fact that the necessary people could not be “obtained merely by commissioning American civilians who were experts in foreign administration,” led to the establishment of the School of Military Government.¹⁴⁴ The school opened in Charlottesville in May 1942, but fell dramatically short in the number of graduates it produced, leading to estimates that a decade would be required for adequate numbers of trained officers.¹⁴⁵ To address the need to expand the number of trained officers, the Military Government Division established the Civil Affairs Training Program (CATP). Expansion of the training utilized certified universities and helped to remedy the deficiencies of throughput experienced early on by increasing class sizes and shortening the duration of the course producing more than two thousand graduates during the last four months of 1943.¹⁴⁶

In addition to the training program for military governance, the Army established the Civil Affairs Division (CAD). The CAD was directed to report to the Secretary of War on “all matters except those of a military nature” and for those issues relating to the conduct of military operation, the CAD would serve the Chief of Staff and coordinate for the War Department with civilian agencies.¹⁴⁷ Although the War Department asserted its lead role in civil affairs and military government, there was recognition that at some point during the occupation the situation

¹⁴³ Ziemke, *The U.S. Army in the Occupation of Germany 1944-1946*, 3-5. The Army published Field Manual 27-10, *Rules of Land Warfare*, and Field Manual 27-5, *Military Government*, in 1940.

¹⁴⁴ Holborn, *American Military Government: Its Organization and Policies*, 3.

¹⁴⁵ Ziemke, *The U.S. Army in the Occupation of Germany 1944-1946*, 8.

¹⁴⁶ *Ibid.*, 20.

¹⁴⁷ *Ibid.*, 17.

would allow for transition to other civilian-led organizations. However, until such conditions existed, the responsibility for combat operation, civil administration, and implementation of national policies belonged to the Army.

General Dwight Eisenhower experienced firsthand the potential benefits of having qualified military government experts. During operations in North Africa, General Eisenhower observed that specialists in military government were able to ease the burden on combat troops and, in many instances, were more effective than their tactical counterparts.¹⁴⁸ Problems resulting from damaged water supplies, limited power generation, and lack of food required mobilization and coordination of the local population, and officers trained in civil administration were well-suited to solve.¹⁴⁹ Once the invasion of Germany began, military government units allowed General Eisenhower to focus on the planning of campaigns and execution of operations prior to the military defeat of Germany. Small mobile detachments traveled behind the lead combat echelons and assumed control of captured areas, freeing tactical units to continue the advance. Military commanders had to balance both combat and post-conflict operations simultaneously as offensive operations continued.

As U.S. forces advanced towards Germany, military government officers preferred to utilize existing local governments. Preventing civil disturbances, safeguarding the population, and supporting the combat operations with available resources and manpower made restoration of governance an urgent task. However, the German practice of systematically evacuating public officials and employees gave way to total disorder under the pressure of allied gains, resulting in an almost complete lack of functioning local governments.¹⁵⁰ Without the ability to use acceptable existing local organizations, the military government units were forced to create one.

¹⁴⁸ Harold Zink, *American Military Government* (New York: The Macmillan Company, 1947), 3.

¹⁴⁹ Harry L. Coles and Albert K. Weinberg, *Civil Affairs: Soldiers Become Governors* (Washington D.C.: Office of the Chief of Military History, 1964), 3.

¹⁵⁰ Holborn, *American Military Government: Its Organization and Policies*, 82.

In liberated territories, the governance operations differed from the plan for Germany because the population was not considered as belligerents and therefore was subject to martial law with the U.S. goal of restoring the sovereign government. However, Germany would fall under the rules that were prescribed under the international law of belligerent occupation and would require a governance structure that held authority over all aspects of society.¹⁵¹ As the defeat of the Nazi regime became inevitable, the entire German government began to disintegrate forcing the Allies to contemplate the rebuilding of the entire government from the ground up. Without a governing body for the nation, it was impossible to deal with problems in trade, finance, food production, or education.¹⁵²

Military government units were organized under tactical channels during the advance by American forces into Germany. European Civil Affairs Division military government detachments numbered 250, with an additional 200 provision detachments drawn from combat troops, covered the U.S. sector by the time victory in Europe was proclaimed.¹⁵³ The organization of government under tactical commands facilitated operations during the combat phase. However, because of the “muddled command channels” and a tendency of tactical commands to resist relinquishing control acquired during governance operations, regional problems identified that fell outside the jurisdiction of the tactical commander often went unsolved.¹⁵⁴ Renowned World War II historian Earl F. Ziemke points out that two forms of military government were utilized but not entirely compatible. Integrating military government units into the tactical chain of command facilitates mobile operations, unity of command, and allows combat forces to focus on continuing the advance by minimizing the impact of civil problems on military operations. In

¹⁵¹ War Department, Field Manual 27-5 Rules of Land Warfare (Washington D.C.: Government Printing Office, 1940), 3. http://www.loc.gov/r/rfd/Military_Law/pdf/rules_warfare-1940.pdf (accessed March 17, 2011).

¹⁵² Ibid., 90.

¹⁵³ Ziemke, *The U.S. Army in the Occupation of Germany 1944-1946*, 269.

¹⁵⁴ Ibid., 447-448.

contrast, territorial government function better as a separate command which is not mired in reacting to the constant shifting of unit boundaries and specific local problems. For this reason, territorial governance is better suited to adapt to the evolving geographic and political requirements.¹⁵⁵ The different types of governance structures created difficulties in regards to authorities and objectives because tactical commanders sometimes found national objectives were at odds with their particular circumstances.

General Lucius Clay, Deputy for Military Government, and subsequently the American Military Governor (1945-1949), recognized the problems inherent in maintaining a tactical military government structure. In October 1945, he approved the activation of the Office of Military Government United States (OMGUS), which would oversee the U.S. sector during the occupation. The creation of this organization resolved the struggle for control between the G-5 of the U.S. Forces European Theater (USFET) and the U.S. Group Control Council.¹⁵⁶ The creation of OMGUS was significant because the organization facilitated the separation of tactical military units from governance operations, and sped the transition to civilian leadership. OMGUS created the organizational structure that reduced both the size and role of military commanders in governance. Additionally, the organization removed some of the bureaucratic friction and established an authoritative headquarters that harmonized governance efforts with post-conflict objectives. General Clay, both prior to V-E day and after assuming the role of American Military Governor, maintained his own staff that focused on termination and post-conflict activities which

¹⁵⁵ Ibid., 447.

¹⁵⁶ The U.S. Group Control Council became active in 1944 and was responsible for converting U.S. policies pertaining to governance into operational plans. USFET was established after the dissolution of Supreme Headquarters Allied Expeditionary Force (SHAEF). Under USFET, military governance operations ran through two different lines; one under General Eisenhower to the Third and Seventh Army Commanders and the second from LTG Clay to the G-5 staffs of the Army Groups. LTG Clay established OMGUS in September 1945 which proved to alleviate conflicts over authority for governance operations. See Walter M. Hudson, "The U.S. Military Government and Democratic Reform and Denazification in Bavaria, 1945-47," (Master's Thesis, U.S. Army Command and General staff College, 2001), 15; Zink, *American Military Government*, 46; Ziemke, *The U.S. Army in the Occupation of Germany 1944-1946*, 94, 401-403.

integrated a number of agencies to address the civil and military problems expected during post-conflict operations.¹⁵⁷

On V-E Day, U.S. troop strength in Germany numbered over 1.6 million. As soon as the fighting ended, troops began to execute occupation duties of maintaining law and order, establishing an Allied presence, and controlling the population in order to prevent resistance.¹⁵⁸ The general character of the occupation of Germany was presented in a directive, JCS 1067, which established the basis for military planning but did not provide an overarching construct for administering the German nation.¹⁵⁹ However, the stated objective to establish a “stern, all-powerful military administration of a conquered country, based on its unconditional surrender, impressing the Germans with their military defeat and the futility of any further aggression,” heavily influenced the aims of military government.¹⁶⁰ Goals established by the directive included the dissolution of the Nazi party, demilitarization, and control over communications, press, and education among other aspects of society.

U.S. domestic pressures following V-E Day drove a rapid reduction of U.S. forces in Germany. Military planners had developed a goal of 404,500 troops as an occupation force decreasing to 370,000 after Germany surrendered.¹⁶¹ However, pressures to reduce the number of American troops in Germany resulted in troop strength of approximately only 200,000 by the end of 1946.¹⁶² General George Marshall anticipated this massive reduction in troops, and asked General Eisenhower to consider establishing a constabulary force, that could be a mobile reserve, to respond to civil unrest, patrol, and disrupt illicit activities. Using a planning factor of one

¹⁵⁷ Flavin, “Planning for Conflict Termination and Post-Conflict Success,” 110.

¹⁵⁸ Ziemke, *The U.S. Army in the Occupation of Germany 1944-1946*, 320.

¹⁵⁹ *Ibid.*, 104.

¹⁶⁰ *Ibid.*

¹⁶¹ Dobbins, *America’s Role in Nation Building: From Germany to Iraq*, 9.

¹⁶² *Ibid.*, 9-10.

constable per 450 Germans, the size of the force needed was approximately 38,000, but never exceeded 31,000.¹⁶³ The U.S. Constabulary was considered an elite force that consisted of handpicked men and performed a critical function during the occupation. The Constabulary reduced the tactical personnel requirements for occupation duties by focusing on law enforcement and security allowing other units to concentrate on occupation duties.¹⁶⁴

Military government provided the adaptive structure to meet the challenges of civil administration following battlefield success. Commanders required the discretion to address local circumstances that were in opposition to established policies. For example, U.S. forces found it nearly impossible in some circumstances to establish competent bureaucracies without using personnel that were complicit with the Nazi regime.¹⁶⁵ On a larger scale, U.S. efforts to enact the policies found in JCS 1067 resulted in a revamped education system, disqualification of hardened Nazi sympathizers while reconciling those who were members for survival, and democratic elections in 1946 in small towns building the new German government from the ground up.¹⁶⁶ However, the harsh measures outlined in JCS 1067 led General Clay to heavily influence a change in U.S. policy in September, 1946 through a speech delivered by Secretary of State James Byrnes in Stuttgart, Germany. In the speech, obstacles that General Clay encountered in advancing reconstruction, economic reform, and reunification were minimized as the Secretary of State publicly stated that, “The American people wanted to help the German people win their way back to an honorable place among the free and peace-loving peoples of the world.”¹⁶⁷ General Clay, as the Military Governor, understood the impacts of the draconian measures on the German society

¹⁶³ Ziemke, *The U.S. Army in the Occupation of Germany 1944-1946*, 341.

¹⁶⁴ Christopher Todd Burgess, “US Army and Belligerent Occupation” (Monograph, School of Advanced Military Studies, 2004), 24.

¹⁶⁵ *Ibid.*, 14

¹⁶⁶ Ziemke, *The U.S. Army in the Occupation of Germany 1944-1946*, 370, 389, 425.

¹⁶⁷ *Ibid.*, 443.

and by his position was able to alter U.S. national policy aims which served changing political realities and aims.

The initial focus of the occupation government was demobilization of the German army and purging the Nazi influence from society preventing its resurgence.¹⁶⁸ However, changes in the relationship between the Soviet Union and the U.S. resulted in evolving aims for the portions of Germany under control of the British, French, and U.S. governments. Creating a German state that would ally itself with the west against Communist expansion led to a restorative focus vice a punitive approach. OMGUS exclusively exercised military government after the Office of Military Government (U.S. Zone) closed on April 1, 1946. However, the next step of appointing a civilian to lead the U.S. effort in German did not come until 1949 when John J. McCloy, the former assistant Secretary of War during WWII, assumed control from General Clay as the U.S. High Commissioner for Germany. Continued progress, beginning at the lower levels of German society, to establish municipal governments as a prerequisite for a national parliament eventually resulted in the establishment of West Germany in 1949 and its “full sovereignty” in 1955.

Conclusion

The inclusion of a military governance capability would immensely increase the ability of the U.S. to successfully terminate conflicts within the constraints imposed on military intervention found democratic societies. American expectations that wars are short, relatively bloodless, and end with victory cannot be met with an organizational structure that disproportionately focuses on battlefield victory while paying significantly less attention to the post-conflict challenges. War termination is a process which means that there is no point in which the war ends and peace begins. Rather, through negotiations utilizing diplomats as well as

¹⁶⁸ James Dobbins, *America's Role in Nation Building: From Germany to Iraq* (Santa Monica, CA: RAND, 2003), 11.

military commanders, the adversaries reach a point where armed conflict is no longer the primary means of interaction. Domestic pressures, international considerations, leader personalities, and a myriad of other factors will shape the perceptions of the utility of war and the prospects for a successful outcome. There exist both tangible and intangible elements that a military force must consider. Physical defeat of the enemy is not the end in itself. The military's purpose is to gain an advantage allowing one nation to gain concessions from its adversaries that ultimately lead to the attainment of policy goals and a continuing advantage.

Colin Gray writes that "there is more to war than warfare, that war is about the peace that follows, and that the succeeding peace is the breeding ground for future conflict."¹⁶⁹ Achieving a lasting peace that prevents planting the seeds of future war necessitates that the victor address both the physical and psychological aspects of conflict. For this reason, favorable war termination requires an adaptive organization that can effectively address the complexities found in social interactions. Once the decision to go to war is made, political leaders must be aware that the outcome is not certain and unanticipated obstacles will surely arise. As the American experience during the Vietnam War illustrates, tactical victory is not sufficient to achieve war termination.

Military historian Dr. Roger Spiller points out that the terminal phase in war is not necessarily the most important.¹⁷⁰ For example, the Tet offensive of 1968 had a greater impact on the political aims and available resources committed by all concerned belligerents than operations prior to the departure of U.S. forces from South Vietnam. Therefore, it is not necessarily the final campaign that has the greatest impact on the type of peace achieved. Civilian and military leaders must recognize that there exists a reciprocal relationship between the battlefield and policy, which requires an approach that will adequately address both civil and military problems.

¹⁶⁹ Colin S. Gray, *Another Bloody Century* (Phoenix: Orion Books, 2006), 15.

¹⁷⁰ Roger Spiller, "War Termination: Theory and American Practice," in *War Termination: The Proceedings of the War Termination Conference United States Military Academy West Point*, ed. Mathew Moten (Fort Leavenworth: Combat Studies Institute Press, 2010), 14.

Combat and post-conflict tasks are not mutually exclusive. Military commanders must prepare to conduct combat and stability tasks simultaneously while engaged in armed conflict. Although the U.S. government has taken steps to achieve unity of effort among the various agencies, the necessary capabilities to operate in dangerous environments with the expertise and resources to conduct SSTR are not resident in any single institution. Nadia Schadlow states that an operational link that serves to leverage battlefield victory into attaining a state's political aim is needed.¹⁷¹ The artificial disaggregation of military and civilian responsibilities leads to piecemeal allocation of resources which lacks a holistic approach to the problem of war termination.

The legal requirements of belligerent occupation forces are well established and codified in both international treaties and U.S. military doctrine. Characterizing recent operations in Afghanistan and Iraq as "liberation" did not excuse the U.S. from the requirements of an occupying force. Although the type of military governance may have differed significantly based on the determination of liberation versus belligerent occupation, the fundamental responsibility to provide the services of a governing body is an obligation. Once the links between the population and government have been severed by war, the force that controls the territory is duty-bound to take action to protect and care for the population as the de facto civil authority. Current organization of the U.S. government for the transition between combat and post-conflict operations lacks the adequate organizational structure and authorities to effectively guide a smooth transition leading to achieving national aims at the smallest cost to U.S. blood and treasure.

Military government provides a solution to overcoming many of the problems with the current U.S. approach. By consolidating the resources, responsibilities, and authorities with the

¹⁷¹ Nadia Schadlow, "War and the Art of Governance," *Parameters*, Autumn 2003. <http://www.carlisle.army.mil/usawc/parameters/Articles/03autumn/schadlow.pdf> (accessed December 5, 2010), 92.

military commander, unity of command is achieved. America's involvement in occupation duties during the Philippine War and World War II Germany provide an example of an organization structure that adequately address both war fighting and civil administration tasks simultaneously. Emerging constraints due to political considerations required military commanders to adjust their operations. In both conflicts, the U.S. political leadership pushed for the rapid changeover to a civilian-led government. These transitions were successful because the military had achieved sufficient security and established initial governance structures which effectively exercised civil administration. Constraints on the number of soldiers available due to geographic distances, political pressures, and rotation schedules forced military commanders to utilize indigenous personnel for security forces and bureaucratic functions. By possessing the authority to address all types of social problems within a commander's area of responsibility, soldiers were able to effectively resolve problems that had the potential to upset the fragile peace. Empowering military leaders as political leaders in the conflict zones allowed for the flexibility to address obstacles to achieving political aims in a comprehensive way.

The two examples of the Philippines and Germany must be considered within their specific contexts and will not serve as a panacea for future U.S. military intervention. However, the American experience in these wars emphasizes that the relative success enjoyed by the U.S. in these conflicts was due to the holistic approach which recognized that successful war termination is inherently a political act in which armed forces serve as a means to attaining national aims. Military and civilian problems found in war are interdependent and must be addressed with differing levels of emphasis based on the character and progression of the conflict. The key point is that military and civil aspects of war cannot be separated, and to do so threatens to untangle the relationship between policy and war. Returning to a model of military governance capability on a scale that demonstrates the willingness and capability to occupy the enemy nations provides an adaptive organizational structure that is well-suited to translate battlefield victory into political success.

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